

LAND BANK CHECKLIST FOR TOWNSHIP DEMOLITION

- A fire department under contract with the township, the county building department or other authority responsible under Ohio Revised Code 3781 for enforcement of building regulations or building inspections declares structures on the property “insecure, unsafe or structurally defective.” Or, the board of health of the general health district of which the township is a part declares structures dangerous to life or health or unfit for human habitation.
- The township board of trustees passes a resolution pursuant to Ohio Revised Code 505.86 providing for the removal of structures on the property.
- The township obtains a title exam of the property to identify all owners of record and all record lienholders holding an interest in the property.
- The board of trustees sends by certified mail, return receipt notice of the intent to demolish structures on the property to each party in interest at least 30 days before demolition starts. If the address of a party in interest is unknown and cannot be reasonably obtained, notice may be published once in a newspaper of general circulation in the township. The notice must inform the parties they are entitled to a hearing if a requested by a party within 20 days after notice is mailed as provided in Ohio Revised Code 505.86(C) or 20 days after publication. If the board passes a resolution determining an emergency exists, notice to interested parties may be given by other than certified mail and less than 30 days before demolition.
- If a hearing is held, the board of trustees issues an order within 30 days of the hearing (or within 30 days after mailing notice to interested parties who did not request a hearing) either dismissing the matter or directing the removal, repair or securance of applicable structures.
- A party who requested and participated in a hearing may appeal the board’s decision to common pleas court, in which case, the court will set a schedule for the matter and issue a decision.
- If interested parties are not opposed to demolition, townships may enter into agreements with them to perform demolition.
- If the building in question is just unsightly and has not been declared an “insecure, unsafe, or structurally defective building,” the township would need to file a complaint to abate the nuisance pursuant to Ohio Revised Code 3767.41.